



HAZLETON CREEK PROPERTIES, LLC

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May 29, 2018

VIA OVERNIGHT MAIL

Mr. Scott Rice
Toxics Program Branch (3LC41)
U.S. Environmental Protection Agency
Region III
1060 Chapline Street
Wheeling, W.VA 26003

Re: Hazleton Creek Properties, LLC's Preliminary Response to US EPA Notice of Noncompliance and Information Request
Docket Number: 03-18-0016

Dear Mr. Rice:

This correspondence is the timely response of Hazleton Creek Properties, LLC ("HCP") to U.S. EPA Region III's April 24, 2018 Notice of Non-Compliance and Information Request ("the Notice") issued pursuant to the Toxic Substances Control Act ("TSCA"). The Notice was received by HCP on April 26, 2018. HCP respectfully disagrees with, and specifically objects to, US EPA's allegations as set forth in the Notice. HCP is in full compliance with TSCA, the federal polychlorinated biphenyls ("PCB") regulations at 40 CFR Part 761 and U.S. EPA's long-standing policy and guidance as it pertains to PCBs.

Since receipt of the Notice, HCP has worked diligently to locate, collect and review information responsive to the Notice. This process remains ongoing to date. HCP aims to provide supporting documentation by June 5, 2018. We are continuing to verify all information, however, as an initial matter, please note that certain statements by U.S. EPA in the Notice are based on inaccurate or incomplete information. For example, five (5) of the nine (9) identified sources in the Notice were never accepted by HCP. Moreover, supporting documentation on the four (4) other sources demonstrates HCP's compliance with applicable requirements as it relates to PCBs and that the placed material in question does not pose any potential threat to public health or the environment.

HCP looks forward to speaking with U.S. EPA to resolve this matter promptly. We will be in touch to schedule a meeting as soon as possible.

Regards,

William Rinaldi
President
Hazleton Creek Properties, LLC

cc: Harry T. Daw, U.S. EPA Region III
Walt Harner, Pennsylvania Department of Environmental Protection
George Hartenstein, Pennsylvania Department of Environmental Protection
Ali Tarquino-Morris, Pennsylvania Department of Environmental Protection

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